

UNITED STATES DISTRICT COURT

Eastern District of New York

UNITED STATES OF AMERICA

v.

JoAndy Christopher Marie Balentina

JUDGMENT IN A CRIMINAL CASE

Case Number: 21 CR 222 (ARR)

USM Number: 84089-053

Peter J. Guadagnino, Esq.

Defendant's Attorney

THE DEFENDANT:

 pleaded guilty to count(s) One of the indictment. pleaded nolo contendere to count(s) _____ which was accepted by the court. was found guilty on count(s) _____ after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

| Title & Section | Nature of Offense | Offense Ended | Count |
|-------------------------|--|---------------|-------|
| 21 U.S.C. § 963, | International Cocaine Distribution Conspiracy. | 4/1/2021 | ONE |
| 21 U.S.C. § 959(a) & | | | |
| 21 U.S.C. §960(b)(1)(B) | | | |

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. The defendant has been found not guilty on count(s) _____ Count(s) remaining is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

6/6/2024

Date of Imposition of Judgment

Signature of Judge

The United States Department of Justice certifies that this is a true copy of the original document in the inmate's file maintained by the Bureau of Prisons.

Amy Chang LeeFor Office of International Affairs
United States Department of Justice

Allyne R. Ross, U.S.D.J.

Name and Title of Judge

6/6/2024

Date

DEFENDANT: JoAndy Christopher Marie Balentina
CASE NUMBER: 21 CR 222 (ARR)

ADDITIONAL COUNTS OF CONVICTION

| <u>Title & Section</u> | <u>Nature of Offense</u> | <u>Offense Ended</u> | <u>Count</u> |
|----------------------------|--------------------------|----------------------|--------------|
| (ii) | | | |

DEFENDANT: JoAndy Christopher Marie Balentina
CASE NUMBER: 21 CR 222 (ARR)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
One hundred and fifty one (151) months. The sentence imposed takes into consideration that the defendant was incarcerated in Curacao awaiting extradition to the United States.

The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____.

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on _____.

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: JoAndy Christopher Marie Balentina
CASE NUMBER: 21 CR 222 (ARR)

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

NO SUPERVISION TO FOLLOW.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: JoAndy Christopher Marie Balentina
CASE NUMBER: 21 CR 222 (ARR)**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

| TOTALS | <u>Assessment</u> | <u>Restitution</u> | <u>Fine</u> | <u>AVAA Assessment*</u> | <u>JVTA Assessment**</u> |
|---------------|-------------------|--------------------|-------------|-------------------------|--------------------------|
| | \$ 100.00 | \$ | \$ | \$ | \$ |

The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

| <u>Name of Payee</u> | <u>Total Loss***</u> | <u>Restitution Ordered</u> | <u>Priority or Percentage</u> |
|----------------------|----------------------|----------------------------|-------------------------------|
|----------------------|----------------------|----------------------------|-------------------------------|

| | | | |
|---------------|----------|----------|------|
| TOTALS | \$ _____ | \$ _____ | 0.00 |
|---------------|----------|----------|------|

Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

Administration of the Sentence

Name: Joandy Chris M. Balentina

Sentence: 151 months

Starting date of Sentence: June 6, 2024

Jail time credit: 518 days

Good conduct time earned as of October 2, 2024: 54 days

Full term release date: August 6, 2035
(Maximum sentence)

Projected release date if prisoner remains in the United States: September 26, 2033



U.S. Department of Justice

Criminal Division

Office of International Affairs

Washington, D.C. 20530

Mr. Robert-Jan Boswijk
Attorney General
Hendrikplein z/n
Willemstad - Curaçao

Attention: Shaida Martis

Re: Joandy Chris M. Balentina, Reg. No. 84089-053
Approval of Request to Transfer to Curaçao
Under the COE Convention on the Transfer of Sentenced Persons

Dear Mr. Boswijk:

On November 7, 2024, the United States approved the request of the above-referenced prisoner to transfer to Curaçao to serve his prison sentence. The prisoner is currently incarcerated at the Thomson Federal Correctional Institution, Thomson, Illinois. The sentence is final at the present time since there are no appeals or post-judgment collateral proceedings pending. Enclosed for your consideration are the following documents:

1. Transfer inquiry form;
2. Copy of birth certificate and/or passport (not available);
3. Copy of the certified judgment;
4. Certified copy of the applicable laws;
5. Information concerning administration of the sentence;
6. Case summary and addendum; and
7. Fingerprints and photograph.

If Curaçao decides to approve the prisoner's transfer, please provide the following:

1. A document or statement confirming that Curaçao approves or consents to the transfer;
2. A document or statement confirming that the prisoner is a national of Curaçao for the purposes of the Convention;
3. A copy of the relevant law which makes the offense for which the prisoner is in custody in the United States a criminal offense in Curaçao
4. A statement as to whether the "continued enforcement" procedure or the "conversion of sentence" procedure would be applied; and
5. A statement indicating the nature and duration of the sentence which the prisoner will serve if he is transferred. Please include information about arrangements for remission and conditional release.

Sincerely,

Vaughn A. Ary
Director

Digitally signed by
AMY LEE AMY LEE
Date: 2024.11.18
11:12:51-05'00'

By: Amy Chang Lee
Associate Director

Enclosures (6)

cc: Embassy of the Kingdom of the Netherlands, Washington, D.C.

cc (without enclosures):

Consulate General of the Kingdom of the Netherlands, Chicago, IL
Jamey Koehn, Federal Bureau of Prisons, Washington, D.C.
Joandy Chris M. Balentina